

IN THE UNITED STATES DISTRICT COURT OF THE
MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

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RONALD SUTTON

PLAINTIFF

VS.

BOB RILEY, et, al;
Defendants

CASE NO. 2:06_CV-352-MEF

FEDERAL MAGISTRATE
MAY 8 2006

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COMPLAINT FILED AGAINST MAGISTRATE JUDGE
FOR DISTRICT JUDGE TO ENTER CONSTITUTIONAL ORDERS

The report and recommendations, denials entered by Honorable Magistrate Judge S. Walker violates Sutton's clear constitutional rights protected by these United States. Sutton has a Civil Rights Violation which comes by clear plain language to which 42 USC Section 1983 grants and Citizen and inmate in these United States. In fact United States Constitution affords all a right to address a Statute of Law to which violates Equal Protection.

The Magistrate has used Her Federal Judge Judicial Authority to defend Defendants Statute of law which discriminates against a Class of inmates housed in Alabama prisons. Sutton did not draft, nor write by written language Code Of Alabama 1975 Section 14-9-41(e). The Magistrate sums up Her defense that if Federal Court rules by the Constitution of these United States that 14-9-41(e) is in fact

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unconstitutional, that Sutton's conviction will be overturn. This is not the case at all. Further the Magistrate cites HECK V. HUMPHREY, which has nothing to do with a Statute of law which grants CIT Good Time by class discrimination as spoken by written language. In fact this Court is bound by the written Statute and to which the Statute says for any application of Sutton's conviction. 14-9-41 invests the discretion as to whether Sutton will and can receive CIT Good Time based on the actual sentence number alone. The Commissioner of ADOC must award CIT Good Time to 15 Years the very same to which he would 25, and or 40 years, based on the inmates files. HECK V. HUMPHREY, deals directly with the conviction alone. The Magistrate by Her own admissions, and the very Constitution admits discrimination exists. Sutton is being singled out by Honorable Magistrate Judge, and being denied at the Courts doors for reasons to which all directly knows.

1. Federal Court is bound by the United States Constitution.
2. To issue a ruling that 14-9-41(e) violates the United States Constitution grants release of THOUSAND of Alabama Inmates.
3. The Magistrate knows that 14-9-41(e) was amended in October of 1991. The original purpose of the ACT 80-446 said "NO HABITUAL FELONY OFFENDER" would receive CIT GOOD TIME. Defendants give CIT Good Time to Habitual Offenders and discriminate against others violates these United States Constitution, and Sutton's Constitutional rights altogether. In fact Federal Court in this very District issued

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orders for Defendants to bring Alabama Prisons into compliance with United States Constitution. This is well known by Honorable Magistrate Judge, see NEWMAN V. GRADDICK, where HONORABLE JUDGE VARNER, saw the very Constitutional violations, and orders were issued.

4. The Magistrate serves to defend Defendants for Constitutional Violations which they are knowingly violating. It is a true violation of Federal Laws for any State Agent to knowingly violate United States Constitution. Governor Bob Riley has a full legal duty to provide the Constitution of these United States by equal treatment, and to cease all acts of discrimination.

5. Judge Walker can't deny that granting CIT Good Time to Habitual Offenders violates Alabama Constitution 1901 Article IV Section 61, where the very original purpose of ACT 80-446 was that No Habitual Offender would receive Good Time. Did amending 14-9-41(e) give HFOA inmates with 15 Years CIT Good Time in October 1991. Yes without a doubt. Is there a 14th Amendment violation by Statute and the very ACT itself, YES. Is there a Civil Rights violation by 42 USC Section 1983. Yes.

Magistrate's Role For Screening

1. The purpose of screening serves for frivilous grounds, and for frivilous no merits claims.
2. Sutton claims can't be denied that clear 1st, 4th and 14th United States Constitution Violations exist in Alabama Statute.
3. The Magistrate has taken role to be State Attorney General in

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Her recommendation and denial entered in this action.

4. Sutton has not one set of conditions directed to Bibb only. the Statutes violation is State wide at every level, and even Citizens who have not yet been sentenced and convicted by any Criminal acts. Constitutional issues under the Statute which has caused evil has caused Tax Payers Millions of Dollars.

The fact before this Court Honorable Judges, if you take this before Alaabma Tax Payers and let them vote, which will serve the best interest of these United States. Sutton's 42 USC Section 1983 which is pending. Tax Payers are tired of housing inmates who have been subject to discrimination under these United States, and the truth is known that Defendants release Habitual Offenders each day by CIT Good Time and intentionally hold others by illegal unconstitutional means. This is the very purpose of 42 USC Section 1983. There's no need of any Judge nor the Defendants to be alarmed about the real truth which exist, the issue serves now. How do you rule on a Statute of law which discriminates. BROOKS V. STATE, 622 SO.2d answers the question under ACT 80-446, and Defendants can't deny whats written laws in Alabama.

The District Judge has a ruling to make, and I rest with this Compliant where all facts prove we have a serius issue that must be resolved under Constitutional Federal Violations.

Respectfully


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MAY 5th, 2006